

**Declaration for Patent Application  
English Language Declaration**

Attorney Docket No. A1148.0000/P010

First Name Inventor Noel Heiks

**COMPLETE IF KNOWN:**

☐ Submitted  
with initial  
filing

☒ Submitted after initial  
filing (surcharge required  
37 CFR 1.16(e))

Application No. 09/852,709

Filing Date May 11, 2001

Group Art Unit 2874

Examiner Not Yet Assigned

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

OPTICAL SWITCH ASSEMBLY AND METHOD FOR MAKING

the specification of which

☐ is attached hereto  
OR

☒ was filed on May 11, 2001  
as United States Application No. or PCT International Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign applications(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or any PCT international application having a filing date before that of the application on which priority is claimed.

**Prior Foreign Application(s)**

Priority Not  
Claimed

Certified  
Copy  
Attached

YES NO

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Filing Date)

☐☐☐

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Filing Date)

☐☐☐

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Filing Date)

☐☐☐

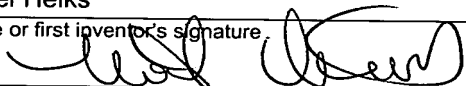
☐ Additional prior foreign applications are listed on a supplemental data sheet attached hereto.

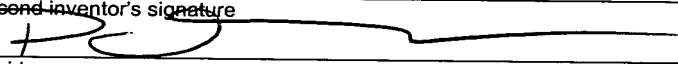
I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

<u>60/228,430</u>	<u>8/28/2000</u>
(Application No.)	(Filing Date)
<u>                    </u>	<u>                    </u>
(Application No.)	(Filing Date)
<u>                    </u>	<u>                    </u>
(Application No.)	(Filing Date)

☐ Additional U.S. provisional applications are listed on a supplemental data sheet attached hereto.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	
Noel Heiks	
Sole or first inventor's signature	Date
	8/7/01
Residence	
Blacksburg, VA	
Citizenship USA	
Mailing Address	
3291 Deer Run Road Blacksburg, Virginia 24060	

Full name of second inventor	
David W. Sherrer	
Second inventor's signature	Date
	8/7/01
Residence	
Blacksburg, VA	
Citizenship USA	
Mailing Address	
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Please type a plus sign (+) inside the box.

PTO/SB/81 (10-00)  
Approved for use through 10/31/2002. OMB 0651-0035  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>POWER OF ATTORNEY OR AUTHORIZATION OF AGENT</b>	Application Number	09/852,709
	Filing Date	May 11, 2001
	First Named Inventor	Noel Heiks
	Group Art Unit	2874
	Examiner Name	Not Yet Assigned
	Attorney Docket No.	A1148.0000/P010

I hereby appoint:

☐

Practitioners at Customer Number

26086

Customer Number

26086

OR

☒

Practitioner(s) named below:

Name	Registration Number	Name	Registration Number
• Gary M. Hoffman	26,411	• Eric Oliver	35,307
• Thomas J. D'Amico	28,371	• Laurence E. Fisher	37,131
• Donald A. Gregory	28,954	• William E. Powell, III	39,803
• James W. Brady, Jr.	32,115	• Jeremy A. Cubert	40,399
• Jon D. Grossman	32,699	• Gianni Minutoli	41,198
• Mark J. Thronson	33,082	• Michael Bergman	42,318

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐

The above-mentioned Customer Number.

OR

☒

Firm or  
Individual Name

Martin G. Meder  
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Address

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540-553-3717

I am the:

☐

Applicant/Inventor.

☒

Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

**SIGNATURE of Applicant or Assignee of Record**

Name

David Sherrer

Signature

[Signature]

Date

8/23/01

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below\*.

☒

\*Total of 2 forms are submitted.

+

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A1148.0000/P010

[illegible]

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Noel Heiks, et al.

Application No./Patent No.: 09/852,709 Filed/Issue Date: May 11, 2001

Entitled: OPTICAL SWITCH ASSEMBLY AND METHOD FOR MAKING

Haleos, Inc., a Corporation  
(Name of Assignee) Type of Assignee, e.g., corporation, partnership, university,  
government agency, etc.

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

**[NOTE:** A separate copy (*i.e.*, the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

8/23/01  
Date

Haleos, Inc.  
Typed or printed name

[Signature]  
Signature

President  
Title